

HMK/jb GA7923

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LOUIS DREYFUS CORPORATION

Plaintiff,

07 CIV 6622(WHP)

-against-

**NOTICE TO
ADMIT**

M/V CMA CGM CORTES, her engines,
boilers, tackle, etc., ALPHA SHIPMANAGEMENT
GMBH & CO., KG, ALPHA SHIP GMBH & CO
KG MS 'NEPTUN', COMPAÑIA SUD AMERICANA
DE VAPORES S.A. (C.S.A.V.)

Defendants.

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PLEASE TAKE NOTICE that under Rule FRCP 36 you are required to admit or deny the following facts and documents attached within thirty (30) days hereof, failing which the facts alleged and documents attached will be deemed admitted.

1. Defendant COMPAÑIA SUD AMERICANA DE VAPORES SA (hereinafter CSAV) is a common carrier by land and by sea in the international carriage of goods.
2. Plaintiff LOUIS DREYFUS CORPORATION is an international trader of commodities.
3. In April of 2007 plaintiff LOUIS DREYFUS CORPORATION purchased a quantity of 2,200 bags of coffee from Cooperative Cuzachapa in El Salvador for shipment to Antwerp, Belgium per invoice attached hereto as Exhibit "A".

4. On or about April 5, 2007, the cargo of 2,200 bags packed in eight (8) containers, with 275 bags in each container, was delivered to defendant CSAV in Santa Ana, El Salvador for carriage to Antwerp, as described in B/L 6HA001847, Exhibit "B" hereto.

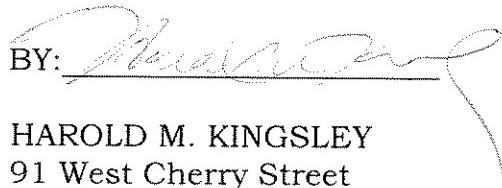
5. During transportation one container FSCU3411832 disappeared while in the custody and control of defendant CSAV and was never delivered at Antwerp by defendant CSAV, and the cargo of 275 bags of coffee was never located by CSAV.

6. The 275 missing bags of coffee had a cost of \$44,653.13.

Dated: August 23, 2007

Yours, etc.,

KINGSLEY, KINGSLEY & CALKINS
Attorneys for Plaintiff

BY: 

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Attorneys for Defendant
COMPANIA SUD AMERICANA
DE VAPORES S.A. (C.S.A.V.)
111 Broadway
New York, New York 10006



COOPERATIVA CUZCACHAPA DE R. L.

CARRETERA AL COCO, COLONIA CUZCACHAPA, CANTON GALEANO
CHALCHUAPA, DEPARTAMENTO DE SANTA ANA, EL SALVADOR.
Teléfonos: (503) 2444-0205, 2444-0042,
2444-0052 FAX (503) 2444-0571

Chalchuapa, 22 de Mayo de 2007

FACTURA DE EXPORTACIÓN
068A900X
No 000076
NIT. D203-311088-001-9
N.R.C. 607-4

CONTRATO No. 210/ P-15755

FACTURA No.

Sr. LOUIS DREYFUS CORPORATION

20 WESTPORT ROAD

WILTON, CONNECTICUT, 06897-0810

Café de El Salvador
Téma... y soprín

FACTURA de DOS MIL DOSCIENTOS

ORO LAVADO embarcados en el Puerto de SANTO TOMAS DE CASTILLA

por Vapor _____, con fecha _____

y con destino a ANTWERP, según conocimiento No. _____

A COOPERATIVA CUZCACHAPA DE R.L. DEBEN:

Sacos de Café en

MARCAS	SACOS	Quintales Espanoles	CALIDAD	Precio por QQ. FOB	TOTAL
DOS PINOS H.G. 09-030-36	2,200	3,300	CAFE ORO LAVADO COS. 06/07	\$ 110.15	\$ 363,495.00

L. Demarque

Por Cooperativa Cuzacachapa de R.L.
(Firma y Sello)



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SHIPPER (NAME AND FULL ADDRESS) COOPERATIVA CUZCACHAPA DE R.L. CARRETERA AL COCO, CANTON GALLEANO, CHALCHUAPA, SANTA ANA		BOOKING NBR GHA0001725	SERVICE LEUB	BL NUMBER GKA001847
		EXPORT REFERENCES		
CONSIGNEE (NAME AND FULL ADDRESS) TO THE ORDER OF LOUIS DREYFUS COFFEE		NOT NEGOTIABLE UNLESS "TO ORDER OF"	FORWARDING AGENT - REFERENCES (NAME AND FULL ADDRESS / F.M.C.)	
NOTIFY (NAME AND FULL ADDRESS) LOUIS DREYFUS COFFEE 20 WESTPORT ROAD WILTON CT 06897-0810		POINT AND COUNTRY OF ORIGIN OF GOODS		
PRECARRIER BY (Mode) (*)		DOMESTIC ROUTING / EXPORT INSTRUCTIONS / ONWARD INLAND ROUTING		
PLACE OF RECEIPT BY PRECARRIER (*) SANTA ANA, EL SALVADOR		SVSTA-GTSTC TZUCK GTSTC-BEANK EPW-CMA CGM CORTES/07310/N		
PORT OF LOADING Santo Tomas de Castilla, Guate		OCEAN VESSEL (Vessel/voyage/leg) CMA CGM CORTES/07310/N		
PORT OF DISCHARGE Antwerp (Amberes), Belgium		PLACE OF FINAL DELIVERY BY ONCARRIER (*) ANTWERP		

PARTICULARS FURNISHED BY SHIPPER - CARRIER NOT RESPONSIBLE

MARKS AND NUMBERS	Nº OF PKGS./CNTRS.	DESCRIPTION OF PACKAGES AND GOODS	GROSS WEIGHT	MEASUREMENT
DOS PINOS H.G. 09-030-36 INBU3915746 SN: J1245636 QTY: 275 DOOR / PIER FCL/FCL TW: 2,300.000KGS GW: 19,173.000KGS FSCU3785015 SN: J1245637 QTY: 275 DOOR / PIER FCL/FCL TW: 2,300.000KGS GW: 19,173.000KGS IPXU3147192 SN: J1245638 QTY: 275 DOOR / PIER FCL/FCL	8	STANDARD 20' CONTAINER SAID TO CONTAIN 2200 BAGS WASHED EL SALVADOR GREEN COFFEE HIGH GROWN 2006/2007 CROP P/E # 0768/12768 C/O # 9/10/0718-Q CONTRACT US-CHINA-EL SALVADOR CTTO. P-13755 "CLAUSET AND SPECIFIC CONDITIONS IN ORIGINAL BILL OF LADING"	153,384.000KGS	
<i>Copy Not Negotiable</i>				
Service Coverage DOOR in SANTA ANA, EL SALVADOR PIER in ANTWERP (AMBERES), BELGIUM				
Continued on Appendix to BL Nr. 6HA001847				

SHIPPERS DECLARED VALUE S IF NOT DECLARED LIABILITY LIMIT APPLIES AS PER CLAUSE 15.1.

Continued on Appendix to BL Nr 6MA001847

TOTAL NO. OF CONTAINERS OR PACKAGES RECEIVED BY THE CARRIER:

COMPAÑIA SUD AMERICANA DE VAPORES S.A.

as Carter

Place Visited: San Salvador, El Salvador
Date Visited: 4/5/2007

(2) Applicable only where used as [redacted]

1) Appendix B: What does it mean? See 2) Learning (100% 200% 70% 50% 10% 5%)

SHEET : 1 of 2

Appendix to Bill of Lading Number: 6MA001847

Issued at San Salvador, El Salvador

Date 4/5/2007

TW:2,300.000KGS

GW:19,173.000KGS

FSCU3411832

SN:J1245639

QTY:275

DOOR / PIER

FCL/FCL

TW:2,300.000KGS

GW:19,173.000KGS

AMFU3113494

SN:J1245640

QTY:275

DOOR / PIER

FCL/FCL

TW:2,300.000KGS

GW:19,173.000KGS

AMFU3057580

SN:J1245641

QTY:275

DOOR / PIER

FCL/FCL

TW:2,300.000KGS

GW:19,173.000KGS

IPXU3053112

SN:J1245642

QTY:275

DOOR / PIER

FCL/FCL

TW:2,300.000KGS

GW:19,173.000KGS

IPXU3806060

SN:J1245643

QTY:275

DOOR / PIER

FCL/FCL

TW:2,300.000KGS

GW:19,173.000KGS

Copy Not Negotiable
"CLAUSES AND SPECIFIC CONDITIONS IN ORIGINAL BILL OF LADING"

***** END OF BILL OF LADING *****

COMPANIA SUD AMERICANA DE VAPORES S.A.
as Counter

B /

DECLARATION OF SERVICE BY U.S. MAIL

I hereby declare under the penalty of perjury as prescribed in 28 U.S.C. Sec. 1746, that a true and correct copy of the

NOTICE TO ADMIT

was served on August 24, 2007, via U. S. First Class Mail by depositing same at an official depository of the U.S. Postal Service in a postage prepaid sealed envelope addressed to:

MAHONEY & KEANE, ESQS.
Attorneys for Defendants
111 Broadway, 10th Floor
New York, New York 10006
(212) 385-1422
File No.: 43/3451/B/07/8

Executed at: Hicksville, New York
August 24, 2007



JO ANN BROWN